

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 01-325 CIV HUCK/Sorrentino

RANDY WEAVER,

Plaintiff,

vs.

JAMES MEEHAN,  
and MIKE GLOETZNER,

Defendants.

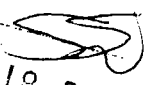
DEFENDANTS' ANSWER TO COMPLAINT

COMES NOW, the Defendants, JAMES MEEHAN and MIKE GLOETZNER, by and through the undersigned Assistant United States Attorney, file this answer to the allegations contained in Plaintiff's Amended Complaint, as follows<sup>1</sup>:

1. Regarding Paragraph 1(H) of the Amended Complaint, Defendants (and specifically the Defendant MEEHAN) deny the allegations contained therein.
2. Regarding Paragraph 1(I) of the Amended Complaint, Defendants (and specifically the Defendant MEEHAN) deny the allegations contained therein.
3. Regarding Paragraph 1(J) of the Amended Complaint, Defendants (and specifically the Defendant MEEHAN) deny the allegations contained therein.
4. Regarding the unnumbered Paragraph which follows Paragraph 1(L) of the Amended Complaint, it contains Plaintiff's prayer for judgment and as such, requires no response. However, to the extent that any response is necessary, the Defendants deny the allegations contained therein.

---

<sup>1</sup>In accordance with the Court's order dated July 19, 2002, the Defendants provide this Answer addressing "the sole remaining claims [which] are that the plaintiff was subjected to the use of unlawful force at the federal courthouse in Ft. Lauderdale, Florida, on June 28, 2000." Accordingly, no answer is required regarding the remainder of the Amended Complaint. However, to the extent that an Answer is required, the Defendants deny the remaining allegations therein.

FILED BY   
02 OCT 18 PM 4:25  
CLARENCE HADDON  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - MIA

53  
2X

5. Regarding Paragraph 2(H) of the Amended Complaint, Defendants (and specifically the Defendant GLOETZNER) deny the allegations contained therein.

6. Regarding Paragraph 2(I) of the Amended Complaint, Defendants (and specifically the Defendant GLOETZNER) deny the allegations contained therein.

7. Regarding Paragraph 2(J) of the Amended Complaint, Defendants (and specifically the Defendant GLOETZNER) deny the allegations contained therein.

8. Regarding the unnumbered Paragraph which follows Paragraph 2(M) of the Amended Complaint, it contains Plaintiff's prayer for judgment and as such, requires no response. However, to the extent that any response is necessary, the Defendants deny the allegations contained therein.

#### **AFFIRMATIVE DEFENSES**

Having responded fully to all allegations in the Amended Complaint, the Defendants, JAMES MEEHAN and MIKE GLOETZNER assert the following affirmative defenses:

##### **FIRST DEFENSE**

Plaintiff has failed to state a claim on which relief can be granted.

##### **SECOND DEFENSE**

Plaintiff is collaterally estopped from denying that he assaulted Defendant GLOETZNER.

##### **THIRD DEFENSE**

Plaintiff's Amended Complaint fails to show that the Defendants' challenged conduct violated fairly established law of which a reasonable person would have known and accordingly, the Defendants are entitled to qualified immunity from suit.

##### **FOURTH DEFENSE**

If Plaintiff's Amended Complaint states a cognizable claim for violation of a constitutional right, which the Defendants specifically and categorically deny, the Defendants are entitled to qualified immunity from suit.

**FIFTH DEFENSE**

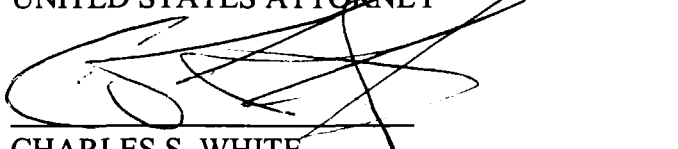
At all times relevant to the Amended Complaint, the Defendants acted in good faith and with a reasonable belief in the lawfulness of their actions.

WHEREFORE, the Defendants, JAMES MEEHAN and MIKE GLOETZNER, having answered fully, respectfully request that judgement be entered in favor of the Defendants, JAMES MEEHAN and MIKE GLOETZNER.

Respectfully submitted,

MARCOS DANIEL JIMENEZ  
UNITED STATES ATTORNEY

By

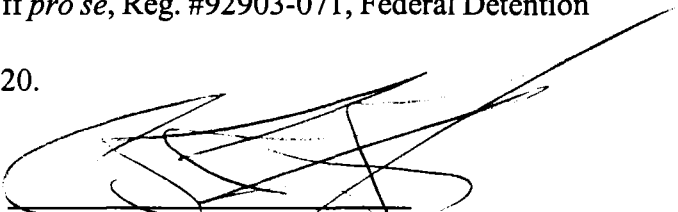


CHARLES S. WHITE  
Assistant United States Attorney  
Fla. Bar No. 394981  
99 N.E. 4th Street, Suite 300  
Miami, Florida 33131  
Tel. (305) 961-9286  
Fax. (305) 530-7139

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing was furnished by U.S. Mail on October 18, 2002 to Randy Anthony Weaver, Plaintiff *pro se*, Reg. #92903-071, Federal Detention Center, P.O. Box 019120, Miami, Florida 33101-9120.

By



CHARLES S. WHITE  
Assistant United States Attorney